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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/635,563

08/07/2003

Carol A. Fredrickson

72167.000403

9857

21967 7590 01/14/2008

HUNTON & WILLIAMS LLP
INTELLECTUAL PROPERTY DEPARTMENT
1900 K STREET, N.W.
SUITE 1200
WASHINGTON, DC 20006-1109

EXAMINER

WRIGHT, JAMES B

ART UNIT

PAPER NUMBER

3694

MAIL DATE

DELIVERY MODE

01/14/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/635,563	Applicant(s) FREDRICKSON ET AL.	
	Examiner J. Bradley Wright	Art Unit 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-23, 25-27, 30-38, 40-42 and 45-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-23, 25-27, 30-38, 40-42 and 45-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 21-23, 25-27, 30-38, 40-42 and 45-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kern (US Patent No. 5,349,170) in view of Copeland III, et al. (US Patent No. 5,784,610), Wagner, et al. (US Patent No. 5,424,938), Baron (US Patent Application Publication No. 2004/0201735), and the Admitted Prior Art (APA) in the Background section of the Application.
2. **Regarding claims 21 and 36**, Kern discloses a computer method and system for processing international and domestic collection items (Figure 1 and Abstract), the method comprising:
 - receiving a plurality, of collection items and documents accompanying the collection items (Figure 1 and column 3, line 21 – column 4, line 28);
 - sorting and indexing each received collection item in accordance with a predetermined collection item type (column 5, lines 6-25 and lines 41-45);
 - scanning the collection item to create an image of the collection item (column 5, lines 26-38);

- determining if any machine-readable code exists on the collection item (column 5, line 26-60);
- if any machine-readable code is determined to exist on the collection item, reading that code by machine (column 5, line 26 – column 6, line 20);
- determining if the collection item needs to be endorsed, endorsing the collection item, if necessary and scanning the endorsed collection item to create an image of the endorsed collection item (column 5, line 26-60);
- thereafter scanning any documents accompanying the collection item to create an image for each accompanying document (column 5, line 26 – column 6, line 20);
- saving by the user the scanned collection item, the scanned endorsed collection item, if any, the code readout, if any, and each scanned accompanying document in a database (column 4, lines 29-35, and column 5, line 61 – column 6, line 20);
- displaying a balance and distribution screen at a user display (item 50c in Figure 14; and column 15, line 38 – column 16, line 3); and
- distributing funds and balancing accounts of processed collection items (column 15, lines 38-53).

As noted above, Kern teaches sorting and indexing each received collection item in accordance with a predetermined collection item type (column 5, lines 6-25 and lines 41-45). However, Kern does not explicitly teach that the predetermined collection item type includes international collections item types and domestic collections item types.

The APA discloses that collection items are typically categorized (i.e. sorted) according to the various known types, such as incoming, outgoing, foreign, domestic, and/or "on-us" collection items, etc. (paragraph 03) for the purpose of determining the appropriate procedures to follow when processing the items (paragraph 04). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to sort collection items according to particular type in order to properly process the collection item, as taught by the APA.

Kern also teaches that a transaction is constituted by the several documents associated with the transaction (column 4, line 17-28). However, Kern does not explicitly disclose saving the scanned items and data as a unit of work and designating each unit of work a searchable unique database index key, or retrieving a unit of work from the database and displaying selected images from the unit of work at a user display connected to a client.

Copeland, in an analogous art, discloses a system for processing, scanning and storing checks (Figure 2 and Abstract) including receiving information from one or more scanners and associating the collection item and any associated documents together as an image-based unit of work (column 5, lines 11-35 and column 10, lines 55-65) and designating each unit of work a searchable unique database index key (column 11, lines 63-67), for the purpose of making the optimum use of image technology capabilities and providing maximum ease of use (column 2, lines 59-62). Copeland further discloses a database to store the scanned and extracted information (column 7, line 61 – column 8, line 2) so as to be retrievable on a unit of work basis and displayed on a workstation

display (column 14, lines 54-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to associate related scanned data as a unit of work designated by a unique identifier, and making the data retrievable on a unit of work basis for display, in order to make optimum use of the image technology capabilities and provide maximum ease of use, as taught by Copeland.

As noted above, Kern discloses the use of a high-speed document processor (item 32 in Figure 1, and column 5, lines 25-30). However, Kern does not explicitly disclose that the document processor includes a check scanner. Copeland further discloses the use of a check scanner operable to read MICR information for scanning checks (item 37 in Figure 2B).

Kern, as noted above, discloses scanning in documents associated with a transaction (column 5, line 26 – column 6, line 20). Kern further discloses that documents that can't be handled are sorted to a reject pocket for handling by conventional reentry procedures (column 5, lines 55-60). However, Kern does not explicitly disclose that the non-check documents may be scanned with a flatbed scanner. The Examiner took Official Notice in the Office Action mailed January 16, 2007 that it was old and well known in the art at the time the invention was made to utilize a flatbed scanner for the purpose of scanning images of documents. As Applicant failed to traverse this assertion in the subsequent response on June 18, 2007, it is found to be Admitted Prior Art (APA). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to use

a flatbed scanner in order to scan and collect images of documents of a size not compatible with the standard scanner of Kern, as taught by the APA.

Kern further discloses inputting and saving processing data to the client regarding the collection item (column 14, line 48 – column 16, line 3), including the amount of the collection item (column 15, lines 17-25). However, Kern does not explicitly disclose automatically filling processing data into a processing display relating to the collection item if the processing data were stored in the database, or inputting processing data including: the party to whom payment of the collection item will be made, the party that issued the collection item, and the method by which payment of the collection item is to be settled. Kern further does not explicitly disclose processing payment of collection items or a server configured to provide an interface with external systems.

Wagner, in an analogous art, discloses a method and apparatus for providing access to a plurality of payment networks (Figure 1 and Abstract) including accepting input from the user (Figures 3-10 and column 2, lines 40-53), and performing processing of the collection item in accordance with the user's input (column 2, lines 40-53) for the purpose of providing a display interface to initiate and complete monetary transfers using a variety of payment networks (column 2, lines 27-37). Therefore, it would have been obvious to one of ordinary skill in the art to modify Kern process a collection item based on the user's input in order to enable the user to selectively process the collection item on a specified payment network.

Wagner further discloses automatically filling input fields with previously stored data (column 6, lines 1-18) for the purpose of expediting and facilitating the entry of repetitive data previously entered and stored. Therefore, it would have been obvious to one of ordinary skill in the art to modify Kern to automatically populate input fields with stored information in order to expedite and facilitate the entry of such information.

Wagner also discloses generating a payment screen (Figures 3-10 and column 6, lines 1-18), the payment screen accepting input relating to (a) the party to whom payment is to be made, (b) the party that issued the collections item, (c) the amount of the payment, and (d) the method of payment (Figure 3), the payment screen providing means for the user to commit a payment so as to save data entered through the payment screen (column 7, lines 44-56). Wagner further discloses providing a network interface between the central computer and the external payment networks. (Figure 1 and column 3, line 59 – column 4, line 50).

Kern further does not explicitly disclose a server to create queues for storing data to be used during processing of the collection items and dynamically track and update the status of the queues, provide an interface with external systems, and access unit of work data stored in the database whereby the data from the database are available to the client and interface with external systems.

Baron discloses an image storage queue (Figure 3, paragraph 0032) including creating queues for storing data to be used during processing of the system (paragraph 0013), and dynamically tracking and updating status of the queues (paragraphs 0018 and 0025) for the purpose of efficiently managing the storage space available in the

memory storage unit (item 106 in Figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to incorporate a queue for storing image data in order to better manage the available storage space in the database.

3. **Regarding claims 22-23 and 37-38**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. Wagner further discloses a method and apparatus including external interfaces for providing access to a plurality of payment networks, such as FEDWIRE, ACH, SWIFT or CHIPS, which includes a network interface to communicate with the payment networks (Figure 1 and column 3, line 59 – column 4, line 28) for the purpose of providing a display interface to initiate and complete monetary transfers using the variety of payment networks (column 2, lines 27-37) according to the particular method of payment. Therefore, it would have been obvious to one of ordinary skill in the art to modify Wagner to include external interfaces with FEDWIRE, CHIPS and SWIFT in order to enable the user to selectively process the collection item on a specified payment network, as taught by Wagner.

4. **Regarding claims 25-26 and 40-41**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. As noted above, Kern teaches sorting and indexing each received collection item in accordance with a predetermined collection item type (column 5, lines 6-25 and lines

41-45). However, Kern does not explicitly teach that the predetermined collection item type includes international collections item types and domestic collections item types.

The APA discloses that collection items are typically categorized (i.e. sorted) according to the various known types, such as incoming, outgoing, foreign, domestic, and/or "on-us" collection items, etc. (paragraph 03) for the purpose of determining the appropriate procedures to follow when processing the items (paragraph 04). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to sort collection items according to type in order to properly process the collection item, as taught by the APA.

5. **Regarding claims 27, 34, 42 and 49**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. As noted above, Kern discloses scanning and storing the documents associated with transactions (column 4, lines 17-21 and column 5, line 26 – column 6, line 20). Additionally, as noted above, Copeland discloses assigning data a searchable unique database index key (column 11, lines 63-67).

6. **Regarding claims 30-31 and 45-46**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. Kern further discloses that packets of images stored in the storage and retrieval unit may include an identifying header identifying the data by MICR data or sequence number (column 6, lines 1-20).

7. **Regarding claims 32 and 47**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. As noted above, Kern further discloses inputting and saving processing data to the client regarding the collection item, such as routing number, check number, etc. (Figures 17-19, and column 14, line 48 – column 16, line 3).
8. **Regarding claims 33 and 48**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. Kern further discloses a balance and distribution module (item 50c in Figure 14) that effects payment and account balancing for the payment processed collection item (column 15, lines 38-53), the balance and distribution module being operable to cause the user interface module to generate a balance and distribution screen to allow the user to distribute funds and balance accounts of processed collection items and to allow the user to create deposit tickets (Figure 20 and column 15, line 54 – column 16, line 57).
9. **Regarding claims 35 and 50**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. Baron further teaches uploading information stored in the database to an archive after a predetermined period of time (paragraph 0027) for the purpose of ensuring adequate storage space in the memory storage unit for new images by archiving older data (paragraph 0015).

Response to Arguments

10. Applicant's arguments filed October 30, 2007 have been fully considered but they are not persuasive.

11. Applicant argues that there is no disclosure in Kern of any system or method capable of processing documents that do not have MICR code line data. The Examiner disagrees. Kern is not limited to processing MICR encoded items. Rather, Kern discloses that other codes may be used, and merely uses MICR as the example (see column 3, lines 21-60). Further, as noted above, Kern discloses scanning in various documents associated with a transaction, not merely checks (see Figure 19, column 4, lines column 3, line 61 - column 4, line 19, and column 5, line 26 – column 6, line 20), and also that documents that can't be handled by the processor are sorted to a reject pocket for handling by conventional procedures (column 5, lines 55-60). While Kern does not explicitly disclose that the non-check documents (i.e. rejected items) may be scanned with a flatbed scanner, it is the Examiner's position that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to use a conventional flatbed scanner in order to scan and collect images of documents of a size not compatible with the standard scanner of Kern.

12. Applicant further argues that claims 21 and 36 expressly sort and index each received collection item in accordance with a predetermined collection item type comprising international collections item types and domestic collections item types and

that the specification discloses that certain international collection items, for example foreign checks, do not include microcoded (MICR) routing numbers. Applicant further argues that the express use of a flatbed scanner for scanning non-check items is disclosed in the specification for use on items that do not include MICR code data, and that in order to accomplish scanning according to proper procedures, the user of the system and method of claims 21 and 36 selects the method to scan the collection item according to whether the collection item is a check containing MICR code data, in which case a check scanner can be used; otherwise, a flatbed scanner is used to scan the item to create an image.

However, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., selecting a method to scan the collection item according to whether the collection item is a check *containing MICR code data*, in which case a check scanner can be used; otherwise, a flatbed scanner is used to scan the item to create an image) are not recited in the rejected claim(s). At best, the claims merely differentiate between checks (regardless of type or code data) and non-checks. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bradley Wright whose telephone number is (571) 272-5872. The examiner can normally be reached on M - F 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jbw

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600